IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 7787 of 2005

Between:

G.Venkateswara Rao, s/o Gopala Krishna,
r/o Bommaluru, Gudivada, Krishna District.

..... PETITIONER

AND

1. The Assistant Secretary, Regional Transport Authority,
   Gudivada, Krishna District.

2. The Motor Vehicle Inspector, Unit Office,

Sullurpet, Nellore District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in impounding the documents of the petitioner's vehicle bearing registration No.AP 16/Y 1219 i.e., Registration Certificate and Permit under check report No.1076511 dt.8-1-2005 as illegal and arbitrary and consequently direct the respondents herein to release the documents of the petitioner's vehicle bearing registration No.AP 16/Y 1219 i.e., Registration Certificate and permit impounded under check report No.1076511, dt.8-1-2005 in favour of the petitioner.

Counsel for the Petitioner: MR.ARIFULLA

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the admission stage made the following:

ORDER: (Per Hon'ble Sri Justice G.Bikshapathy)

The writ petition is filed to declare the action of the second respondent in impounding the documents of the petitioner's vehicle bearing registration No.AP 16/Y 1219 under Check Report No.1076511, dated 08.01.2005, as illegal and arbitrary.

2. After hearing the learned counsel for the petitioner and the learned Government Pleader, the writ petition is disposed of directing the respondents to release the documents of the vehicle bearing No.AP 16/Y 1219 on condition that the petitioner shall produce the same as and when required by the authorities and he also shall undertake not to alienate or create any charge over the vehicle pending enquiry.

3. The writ petition is, accordingly, disposed of. No costs.

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G.BIKSHAPATHY,J.

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P.S.NARAYANA,J.

Date: 07th April, 2005.

BSB/STP

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Assistant Secretary, Regional Transport Authority,
   Gudivada, Krishna District.

2. The Motor Vehicle Inspector, Unit Office,

Sullurpet, Nellore District.

3. Two CCs to the Government Pleader for Transport, High Court

of A.P., Hyderabad (OUT).

4. Two CD copies.

5. 1 CC to MR.ARIFULLA

*Form-NIC-OGS/WP{**RS**}*